



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/039,789    03/16/98    CARVER    E    4537-01-2

IM22/1113

ATTN: ANITA LOMARTRA  
700 STATE STREET, GRANITE SQUARE  
P.O. BOX 1960  
NEW HAVEN CT 06509-1960

EXAMINER

SODERQUIST, A

ART UNIT

PAPER NUMBER

1743

DATE MAILED:

11/13/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

## Interview Summary

Application No.  
**09/039,789**

Applicant(s)  
**Carver**

Examiner  
**Arlen Soderquist**

Group Art Unit  
**1743**



All participants (applicant, applicant's representative, PTO personnel):

(1) Arlen Soderquist

(3) Mark D. Giarratana

(2) Roger C. Phillips

(4) \_\_\_\_\_

Date of Interview Nov 8, 2000

Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No. If yes, brief description:

Agreement ☐ was reached. ☒ was not reached.

Claim(s) discussed: 27 and all generally

Identification of prior art discussed:

all applied references ingeneral and the Dixon reference in detail

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Applicant's representative urged that there is not sufficient motivation in the references and in the Dixon reference in particular for adjusting the volume of a lysing agent added to a blood sample based on the animal species that the sample was obtained from. Discussed where in the Dixon reference examiner felt that there was a recognition that there is a species based difference in the lytic behavior of blood cells and a concentration dependent effect for one of the disclosed lytic agents. Examiner indicated that if an Appeal Brief was filed there would be an appeal conference involving other examiners at which point the examiner's position would be evaluated. This evaluation will result in one of the following actions: an examiners answer being prepared, the application being passed to issue or the prosecution being reopened to resolve an issue that was discovered during the appeal conference.

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

1. ☒ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. ☐ Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

**ARLEN SODERQUIST  
PRIMARY EXAMINER**

Examiner Note: You must sign and stamp this form unless it is an attachment to a signed Office action.